IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MICHELLE BAVIN,)
Plaintiff,))
v.) Civil Action No. 12-0048
PATRICK R. DONAHOE, Postmaster General, UNITED STATES POSTAL SERVICE)))
Defendant.)

AND NOW, this day of September, 2012, IT IS HEREBY ORDERED that defendant's motion to dismiss complaint [doc. no. 5] is DENIED as moot, due to the filing of plaintiff's amended complaint [doc. no. 9] and defendant's answer to the amended complaint [doc. no. 10], without prejudice to defendant's ability to re-raise these issues, if appropriate, based on a more fully developed factual record.

BY THE COURT:

cc: All Counsel of Record